



MEMORANDUM

Agenda Item No. 7(J)(1)(A)

TO: Honorable Chairperson Barbara Carey-Shuler, Ed.D.
and Members, Board of County Commissioners

DATE: January 20, 2004

FROM: George M. Burgess
County Manager

A handwritten signature in black ink, appearing to read "Burgess", is written over the printed name of George M. Burgess.

SUBJECT: Security Officer
Services
Contract
TA99-SOS

RECOMMENDATION

It is recommended that the Board retroactively approve Amendment No. 1 to Contract TA99-SOS between Miami-Dade County and The Wackenhut Corporation. The Contract is a non-exclusive contract for the primary purpose of providing security officer services for Miami-Dade Transit (MDT). This item is retroactive to December 15, 2003. The proposed retroactive amendment will increase the contract ceiling by \$14,800,000 for a new contract ceiling of \$57,300,000. The contract runs through November 2, 2004, but the contract ceiling is not sufficient for the term of the contract. This Amendment only increases the contract limit.

BACKGROUND

Please see ATTACHMENT 1, Breakdown of Costs Related to Contract TA99-SOS Request for Ceiling Increase.

This item was considered by the Transportation Committee on October 16, 2003. The Transportation Committee deferred the item to the Public Safety Committee. At the Public Safety Committee meeting held on November 14, 2003, Commissioner Joe Martinez, Chairman, requested that this item be held for discussion until the December 9, 2003, Public Safety Committee meeting, as a quorum was not available in the November 14 meeting. Staff had estimated that the original ceiling under Contract TA99-SOS, \$42,500,000, would be exhausted by December 15, 2003. Given the critical nature of the security services provided under Contract TA99-SOS, those services were continued.

On November 2, 1999, by Resolution No. R-1133-99, the Board awarded Contract TA99-SOS to The Wackenhut Corporation in an amount not to exceed \$42,500,000. Of this amount, \$42,000,000 was allocated to the provision of security officer services and \$500,000 was allocated for special security details and unforeseen requirements.

At the time of award, November 1999, the forecasted number of weekly security hours provided by Wackenhut was 7806 hours per week. Currently, the Wackenhut Corporation is providing 12,366 hours per week of security services.

The increases in required security since the September 11, 2001 terrorist attacks, the subsequent consolidation into this contract, of security services previously provided by Miami-Dade County's General Services Administration Department (GSA), at Miami-Dade Transit facilities, along with greatly increased security services resulting from the implementation of the People's Transportation Plan (PTP), have increased the amount required to maintain the provision of services under this Contract beyond the original contract ceiling of \$42,500,000.

Transfer of GSA Security Posts to Contract TA99-SOS

With the events of September 11, 2001, MDT was compelled to transfer the responsibility for securing MDT's maintenance and operations compounds, previously provided by GSA, under the existing security contract to ensure the highest levels of security for all transit assets and to ensure that a uniform means of communication exists between all transit security posts. The experience level of the GSA security officers stationed at the maintenance facilities did not meet the security standards required of MDT. Approximately 1,456 weekly security hours were moved from GSA to Contract TA99-SOS when security for MDT's Metrobus, Metrorail and Metromover maintenance facilities was taken over. The transfer of duties increased the forecasted weekly security hours by 18 percent and approximately \$1.51 million per year including the new equipment required. An estimated \$4.9 million has been added to the total cost of the five-year contract.

Additional Post Hours

As a result of the September 11, 2001 terrorist attacks, MDT added the following new posts to protect patrons and assets from security vulnerabilities:

- For instance, since the inception of the new contract (November 1999) through June 2003, MDT has added 392 hours of weekly security hours at its Central Bus Maintenance facility, and has added 168 weekly security hours at both its Northeast Bus and Coral Way Bus maintenance facilities. These posts that were neither included under the original scope of services under Contract TA99-SOS, nor included under the previous arrangement with GSA, cost approximately \$756,000 per year, with an additional cost to the overall contract of \$2.9 million.
- In addition, Miami-Dade Transit also added 168 weekly hours of security coverage at both the William Lehman Metrorail Maintenance and Metromover Maintenance Facilities (336 hours total) and 84 hours at the Dadeland South Tail Track at an expected annual cost of \$785,000, with an added cost to the overall contract of \$1.948 million.
- New security posts at the South Dade Busway Park and Ride Lots have added 126 hours per week and are estimated to add \$120,800 per year and approximately \$250,600 to the total cost of the contract.
- Furthermore, additional service resources such as new radios, vehicles and additional personnel will cost approximately \$106,300 annually, with an additional cost of \$211,000 to the overall cost of the contract.
- These new services added to the requirements of security contract TA99-SOS were implemented as a result of increased security vulnerabilities identified after September 11, 2001.

These new posts have increased the forecasted weekly security hours by 19 percent and approximately \$1.77 million per year. An estimated \$5.31 million has been added to the total cost of the five-year contract.

The People's Transportation Plan

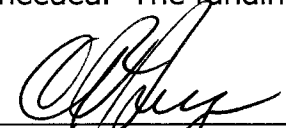
The passage of the People's Transportation Plan (PTP) in November 2002, required additional security services, which were not anticipated or forecasted at the contract inception. When MDT went to 24-hour/7 days- per-week service, additional security services were required at all Metrorail and select Metromover facilities to provide security during all hours of operation. 24/7 operations have increased the forecasted weekly security hours and will add \$1.6 million per year and \$2.2 million overall to the cost of this five year contract.

Another service to be provided as part of the PTP is a bus detail to ensure the security of Metrobus patrons and resources. The bus detail is comprised of a contingent of security officers who follow and board buses to ensure acts of crime are minimized. This bus will add an additional \$1.10 million dollars per year and \$2.377 million dollars to the overall cost of this contract.

It is estimated that available funds under the existing contract will be exhausted by mid December 2003, eleven months before the contract is set to expire. MDT anticipates that \$14,800,000 will be necessary to fund the contract through its completion. The additional funding will provide for all new and transferred services and any unanticipated needs, as a result of code orange or greater threat level, as dictated by the Office of Homeland Security. It should be noted that MDT has never asked for an increase in the cost ceiling for the security contract. However, the unforeseen events of the previous two years, in particular September 11, 2001, and the passage of the People's Transportation Plan necessitate the need for additional funding of Contract TA99-SOS.

FISCAL IMPACT

There is no fiscal impact as all finance issues have been addressed through the budget process. The current contract ceiling is \$42,500,000.00. An increase in the contract ceiling by \$14,800,000, to a new ceiling of \$57,300,000, through November 2, 2004 is needed. The funding source is Miami-Dade operating funds.

 11/19/03

Surface Transportation Manager

ATTACHMENT 1

Breakdown of Costs Related to Contract TA99-SOS Request for Ceiling Increase

Change	Date of start of additional/ change of service	Previously existing function moved to Contract TA99-SOS.	Additional Annual costs to MDC	Change needed to ceiling of current 5 year contract ending Nov. 2, 2004
Transfer of security post services previously provided by/contracted with GSA	12/2001	4,900,000	0	4,900,000
Additional posts as of Sept.11, 2001	9/2001	0	1,770,000	5,310,000
PTP additions 24 hour <i>Rail service</i>	5/2003	0	1,313,916	1,900,798
PTP additions <i>Mover service</i>	5/2003	0	145,973	211,169
PTP additions <i>Bus detail</i>	12/2002	0	1,092,294	2,123,601
PTP additions <i>Equipment</i>	12/2002	0	170,654	341,309
Total Additional Annual Costs			4,492,837	
Total Increase in Contract Ceiling				14,786,877
Minimum Recommended TA99-SOS Contract Ceiling				57,286,877

Fiscal Impact: Other than increasing the ceiling for contract TA-99 SOS, all fiscal impacts/issues have been addressed through the budget process.

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MEMORANDUM

(Revised)

TO: Hon. Chairperson Barbara Carey-Shuler, Ed.D.
and Members, Board of County Commissioners

DATE: January 20, 2004

FROM: Robert A. Ginsburg
County Attorney

SUBJECT: Agenda Item No. 7(J)(1)(A)

Please note any items checked.

- ☐ "4-Day Rule" ("3-Day Rule" for committees) applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Bid waiver requiring County Manager's written recommendation
- ☐ Ordinance creating a new board requires detailed County Manager's report for public hearing
- ☐ Housekeeping item (no policy decision required)
- ☐ No committee review

Approved _____ Mayor

Veto _____

Override _____

Agenda Item No. 7(J)(1)(A)

1-20-04

RESOLUTION NO. _____

RESOLUTION RETROACTIVELY AUTHORIZING
EXECUTION OF AMENDMENT NO. 1 TO CONTRACT
TA99-SOS WITH THE WACKENHUT CORPORATION FOR
PROVISION OF SECURITY OFFICER SERVICES; AND
AUTHORIZING THE COUNTY MANAGER TO EXERCISE
CANCELLATION PROVISIONS CONTAINED THEREIN

WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board retroactively approves Amendment No. 1, to the contract between Miami-Dade County and The Wackenhut Corporation to provide security officer services in substantially the form attached hereto and made a part hereof; in an amount not to exceed \$59,400,000.00; and authorizes the County Manager to execute same for and on behalf of Miami-Dade County, and to exercise the cancellation provisions contained therein.

The foregoing resolution was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a vote, the vote was as follows:

Dr. Barbara Carey-Shuler, Chairperson	
Katy Sorenson, Vice-Chairperson	
Bruno A. Barreiro	Jose "Pepe" Diaz
Betty T. Ferguson	Sally A. Heyman
Joe A. Martinez	Jimmy L. Morales
Dennis C. Moss	Dorrian D. Rolle
Natacha Seijas	Rebeca Sosa
Sen. Javier D. Souto	

The Chairperson thereupon declared the resolution duly passed and adopted this 20th day of January, 2004. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

HARVEY RUVIN, CLERK

Approved by County Attorney as
to form and legal sufficiency. B.L.

Bruce Libhaber

By: _____
Deputy Clerk

FIRST AMENDMENT TO CONTRACT TA99-SOS**BETWEEN****MIAMI-DADE COUNTY, FLORIDA AND
THE WACKENHUT CORPORATION**

THIS FIRST AMENDMENT, made and entered into this _____ day of _____, 2003 by and between MIAMI-DADE COUNTY, FLORIDA, a political subdivision of the State of Florida, (hereinafter referred to as "COUNTY"), and The Wackenhut Corporation (hereinafter referred to as the "CONTRACTOR").

WITNESSETH:

WHEREAS, by Resolution No. R-1133-99 passed and adopted on November 2, 1999, the Board of County Commissioners authorized Contract TA99-SOS between the above named parties for the purpose of providing security officer services for Miami-Dade Transit (the "CONTRACT"), and

WHEREAS, the COUNTY believes to be in its best interest to increase the maximum compensation to be paid to the CONTRACTOR for services rendered under the CONTRACT. This increase is necessary due to additional security service hours post September 11, 2001 and the increase in public transportation services as a result of the implementation of the People's Transportation Plan (PTP).

NOW, THEREFORE, in consideration of the premises and mutual covenants herein contained and for other good and valuable consideration the sufficiency of which is hereby acknowledged, the parties hereto agree as follows:

Amend Section 6.0, Payment Terms and Procedures, first paragraph, replace entirely to read as follows:

"The maximum compensation to be paid to the CONTRACTOR by the COUNTY on account of services provided under this CONTRACT shall not exceed \$57,300,000.00. The only exception is for changes executed in writing by the COUNTY pursuant to Section 3.3, "Extra Work" provided that compensation for all such changes and extra work shall not exceed \$500,000.00. In no event shall the total compensation to be paid to the CONTRACTOR by the COUNTY, inclusive of Extra Work, exceed \$57,800,000.00, except to the extent said amount is increased by written Amendment to this CONTRACT. The COUNTY shall have no obligation to pay the CONTRACTOR any sum in excess of this amount."

ALL OTHER TERMS AND CONDITIONS SHALL REMAIN THE SAME

First Amendment to Contract TA99-SOS
The Wackenhut Corporation
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IN WITNESS WHEREOF, the parties hereto have caused this Amendment to
CONTRACT to be executed as of the date first above written.

THE WACKENHUT CORPORATION

ATTEST:

BY: [Signature]
Name: Jeff Cappelletti
Title: Corporate Treasurer

BY: [Signature]
Name: Daniel E. Mason
Title: Vice President and Chief
Financial Officer
(Seal)

ATTEST:

MIAMI-DADE COUNTY, a
political Subdivision of the State of
Florida

HARVEY RUVIN, CLERK

By Its Board of County
Commissioners

BY: _____
Deputy Clerk

BY: _____
County Manager

Approved as to form
and legal sufficiency _____